UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, PA 19103-2029

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SUBJECT Request for Removal Action
8th and Plutus Streets Pottery Site
8th and Phoenix Avenue
Chester, Hancock County West Virginia

FROM Abraham Ferdas Director
Hazardous Site Cleanup Division (3HS00)

TO Marianne L Horinko, Assistant Administrator
Office of Solid Waste and Emergency Response (5101-T)

THRU Debbie Dietrich Director
Office of Emergency and Prevention
Preparedness and Response (5014A)

ATTN Mark Mjoness Director
Emergency Response and Removal Staff (5204G)

ISSUE

The attached Removal Action Memorandum pertains to the 8th and Plutus Streets Pottery Site (' Site) an inactive pottery factory located in Chester, Hancock County, West Virginia This Removal Action Memorandum requests funds to mitigate threats posed by contamination at the Site

A removal assessment performed in accordance the National Oil and Hazardous Substance Pollution Contingency Plan (NCP) 40 CFR Part 300, has identified an imminent threat to public health and the environment due to lead and polychlorinated biphenyls ('PCBs") contamination Elevated levels of lead and PCBs have been determined via analytical data from samples collected in Site soils waste debris and an on-Site building

The On Scene Coordinator (OSC) has determined that this Site meets the criteria for initiating a Removal Action under Section 300 415 of the NCP The Agency for Toxic Substances and Disease Registry (ATSDR') evaluated the results from the sampling at this site and stated that the Site represents an imminent health threat Lead and PCBs are both listed as hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (' CERCLA') as identified at 40 CFR Section 302 4

Because the conditions at the Site meet the criteria set forth in Section 300 415 of the NCP and the Region finds that conditions at the site constitute a public health threat warranting immediate attention I have approved the use of CERCLA funds in the amount of $969,000 of which $759 000 are Extramural Costs to mitigate the threats posed at this Site This approval is provided pursuant to EPA Delegation Number 14-2 which gives the Director of the EPA Region

III Hazardous Site Cleanup Division authority to approve CERCLA Removal Actions Region III has approved this request for funds

Attachment Request for a Removal Action ("Action Memorandum) for the 8th and Plutus Streets Pottery Site

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MAR 1 2 2004

SUBJECT Request for a Removal Action
8th and Plutus Streets Pottery Site
8th Street and Phoenix Avenue
Chester Hancock County West Virginia
40° 37' 3 76" North 80° 33' 30 73" West

FROM Marjorie Easton On-Scene Coordinator (OSC)
Removal Response Section (3HS31)

TO Abraham Ferdas Director
Hazardous Site Cleanup Division (3HS00)

I PURPOSE

This Action Memorandum is to request funds for a Time Critical Removal Action, pursuant to Section 104 of the Comprehensive Environmental Response Compensation and Liability Act ('CERCLA"), 42 U S C § 9601 et seq as amended, at the 8th and Plutus Streets Pottery Site (Site) in Chester, Hancock County West Virginia An assessment performed at the Site in June 2003 revealed conditions that meet the criteria for a Removal Action set forth in 40 CFR Part 300 415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) The results of the June 2003 site assessment showed elevated levels of lead and the presence of polychlorinated biphenyls (' PCBs") both CERCLA listed hazardous substances in Site soils and are further described in Section III of this Action Memorandum As a result of Site conditions an immediate Removal Action under CERCLA is required to mitigate a release or threat of release of hazardous substances at the Site The work will be performed by the Environmental Protection Agency (EPA) pursuant to CERCLA and the NCP The Removal Action is anticipated to require less than $2 000 000 and less than 12 months to complete

II SITE CONDITIONS AND BACKGROUND

A Site Description

1 Physical Location

The Site is located at 8th Street and Phoenix Avenue in the town of Chester Hancock County, West Virginia The Site is at an elevation of approximately 700 feet above mean sea level The Site is situated in the northern section of the Ohio River flood-plain The Site is the location of a large defunct pottery manufacturing facility and includes areas located outside the facility's perimeter fence The Site is bordered to the northeast by residential properties, including the Alicia Arms Apartments and Hans Dietz Apartments, to the southeast by commercial property and by Marks Run a tributary to the Ohio River, to the southwest by the Jennings Randolph Bridge,

and to the northwest by the Ohio River The gradient from the Site to the Ohio River is approximated at over 50%

2 Site History

Approximately 11 acres of the Site was a pottery manufacturing facility that was owned and operated from 1900 to 1982 by three different entities From 1900 to 1907, the facility was operated by Taylor, Smith and Lee Pottery From 1907 to 1971 it was operated by Taylor Smith and Taylor Company and following a merger in 1971 by Anchor Hocking Corporation (Anchor Hocking ') from 1971 to 1982 The facility was permanently closed by Anchor Hocking in early 1982 Anchor Hocking sold the property to Hans Dietz in 1984 Mr Dietz died in May of 1989, and willed the property to his parents Marian and Robert Dietz and to Jan and Primo Dicarlo The property was subsequently sold to Rock Spring Enterprises Inc in November of 1989 Currently property records show that the majority of the property is owned by Rock Spring Enterprises Inc , and a small sub-parcel by Hans Dietz Apartments LP

The prior manufacturing operations at the Site included the basic steps in the manufacture of ceramic based products mostly ceramic dinnerware Some of the starting materials used included ball clay, fire clay, slip clay, flint talcum and feldspar None of these products are listed as hazardous substances However one of the steps involved in pottery manufacturing was the glazing of the finished pottery This glazing process consisted of applying colored minerals mixed with various chemical oxides to the pottery This process introduced several materials into the finished product which included metals such as lead arsenic antimony, barium cadmium, cobalt copper, nickel and chromium The glaze was used to coat the pottery prior to it being fired at a high temperature Some of the metals listed above are identified as hazardous substances (e g , lead and arsenic)

3 Site Characteristics

The majority of the Site is occupied by the defunct pottery manufacturing facility Practically all of the original facility and its structures are still intact Vandals have removed most of the electrical wiring motors, and miscellaneous structural components associated with the kilns and pottery furnaces According to the property owners, the silos still contain starting materials associated with pottery making The materials in the silos, which based on available information are believed to be non-hazardous starting materials were not sampled during the June 2003 removal assessment This assumption will be verified during the removal phase There are two modern warehouses on the Site as well as an office building The office building is currently rented and occupied as a residence Near the center of the property, there are several electric transformers that are staged directly on the ground Trace amounts of PCBs were found in soils in the vicinity of the transformers however, the highest concentration during the sampling event came from a sample collected at location SS 23 which is located along the northeastern riverside boundary of the site The Site also has an abandoned gas well located on the southeast side The abandoned well is located next to a ceramic debris pile The Site is served with electricity and the local municipal public water service Although parts of the Site are fenced, most of the Site is readily accessible to trespassers and the fence is easily breached Besides the vandalism mentioned above evidence of human trespass includes graffiti on buildings and other structures Photos document the presence of graffiti on the inside and outside of the facility At the Jennings

Randolf Bridge located on the southwestern side of the Site and across from a breach in the Site s fence, graffiti was also observed A tear in the Site fence was observed near the bridge

4 Release or Threat of Release of a Hazardous Substance, Pollutant or Contaminant

A removal assessment performed by On-Scene Coordinator ("OSC) Marjorie Easton in June 2003 revealed elevated levels of lead, a listed hazardous substance as defined in Section 101 (14) of CERCLA, 42 U S C § 9601 (14) During the June assessment 22 soil samples plus the required duplicate samples were collected from various locations within the Site boundary The sample with the highest amount of lead was sample number SS05 collected near the ceramic waste piles on the western edge of the Site This sample revealed a lead level of 30 300 ppm Levels of lead contamination from the other 21 soil samples ranged from a high of 22 300 ppm from a sample collected inside one of the buildings on-site, to a low of 150 ppm from a sample collected at the eastern edge of the Site Based on sampling of the pottery waste in June 2003 it was determined that one of the main contributors of the lead contamination present at this site is from the deposits of pottery shards and glazed materials located within the debris piles throughout the site Due to the lack of homogeneity of the piles and lack of knowledge of the exact depth of the piles the cubic yardage of the contaminated lead piles has not yet been determined Since the site is easily accessed by breaching the fence or entering the Site where the fence is missing the contamination may be spread by trespassers The office building located on the northwest portion of the Site is being used as a residence, and people living in the building may come into direct exposure with the contaminated soils or debris piles This may occur if trespassers walk through areas of site where the contaminated piles are uncovered and exposed to the elements

Also discovered during the sampling assessment was a small area containing elevated levels of Polychlorinated biphenyls PCBs are toxic and persistent PCBs can enter the body through the lungs, gastrointestinal tract, and skin, and can circulate throughout the body and can be stored in the fatty tissue PCBs may cause reproductive effect and developmental toxicity to humans In addition, PCBs are absorbed and stored in the fatty tissue of higher organisms as they bioaccumulate up the food chain through invertebrates, fish, and mammals This ultimately results in human exposure though consumption of PCB-containing food sources While some of the PCB contamination on the interior of the Site may be from abandoned transformers the highest concentration of PCBs was discovered at sample number SS23 along the northeast corner on the bank of the Ohio River The level of PCBs at this location was 21 ppm The source of this PCB contamination is unknown PCBs are designated as a hazardous substance under Section 102 (a) of CERCLA and 40 CFR Part 302 4 While the areas which contained PCBs are heavily overgrown with vegetation humans or animals may come in contact with PCBs at the Site

5 National Priority List Status

The Site is not on the National Priorities List ("NPL') nor is the Site proposed for the NPL Based upon the sampling performed by the EPA during the removal assessment, the completion of actions proposed in this Action Memorandum should prevent any further spread of contamination and exposure to public health

6 Maps, Pictures, and Other Graphic Representation

A general Site Location Map and a Sample Location Map of the soils and contaminants of concern are included as Attachment 2 Photographs of the Site are included as Attachment 3

B Other Actions to Date

1 Previous Actions

On January 27, 1998 the West Virginia Department of the Environmental Protection (' WVDEP") investigated the site as requested by the City of Chester In late 1998, the WVDEP collected a soil sample from the property This sample data revealed a lead level of 61 000 parts per million (ppm) This information was forwarded to the U S EPA Region III Removal Section

On January 21 1999 EPA OSC Jeff Dodd, WVDEP and Site Assessment Technical Assistance ("SATA) team conducted a windshield assessment of the property based on the soil sample collected by WVDEP The representatives observed the area of broken pottery shards and debris on the western side of the site WVDEP stated that two of the buildings on site were being leased to companies for storage No samples were collected at that time

On June 8 2001 WVDEP, Division of Waste Management Fairmont District Office conducted another Site reconnaissance and sampling event at the Site WVDEP obtained permission from Mr Robert Dietz, a representative of Rock Spring Enterprises, Inc , which was thought be the sole owner of the pottery facility by WVDEP The WVDEP collected a total of 18 samples at various locations on the property Ten of the samples were collected from the waste ceramic debris piles on the southwestern and southeastern sides of the Site Analytical results revealed lead concentrations ranging from 688 ppm to 158,000 ppm for these samples The eight remaining samples were collected inside the buildings on site These were analyzed for total arsenic, barium cadmium, chromium selenium and asbestos At the time none of these substances (other than lead) proved to be at or above West Virginia state removal action levels Asbestos was found in pipe insulation collected inside the building The WVDEP referred the Site to the EPA primarily due to the elevated levels of lead present around the facility

On May 17 2002 the Superfund Technical Assessment and Response Team (START ') working to support a Site Inspection assigned by Site Assessment Manager (' SAM) James Hargett accompanied the WVDEP in conducting a windshield assessment and perimeter reconnaissance of the inactive facility Access gates were open or missing at the time of the visit On the eastern end of the property, START observed evidence such as children's toys, near the old facility office which is presently being used as a residence A small portion of the eastern section of the property is used to store empty pressurized tanks and various machinery This area includes two buildings leased to other companies

Following the assessment START informed SAM Hargett of the findings SAM Hargett informed OSC Marjorie Easton, who had been assigned to replace OSC Jeff Dodd OSC Easton determined that additional sampling was required

C State and Local Authorities' Roles

The WVDEP has played a very active role in connection with the Site The WVDEP performed the first two sampling assessments that identified the presence of hazardous substances on the Site and WVDEP inspectors have been present at subsequent assessments The WVDEP provided the OSC with results of the assessments On subsequent EPA assessments of the Site, the WVDEP was on site and assisted with background information

The WVDEP informed EPA that they do not have the financial resources available at this time to perform an environmental cleanup

The Mayor of Chester, Mr Ken Morris, also contacted the EPA via e-mail and telephone as well as the West Virginia Governor's Office concerning the Site The City of Chester lacks the funding available to mitigate the threat of release of hazardous substances from this site Mr Morris has expressed concern that the site is easily accessible to local youth

The EPA OSC will continue to update the state and local community concerning any actions at the Site They will be included in all planning regarding the actions EPA may take at the Site that may include health and safety matters related to the Site

III THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT

Part 300 415 of the National Oil and Hazardous Substances Contingency Plan ("NCP ') lists the factors to be considered in determining the appropriateness of a Removal Action Paragraphs (b) (2), (i), (ii) (iv) (v) and (vii) of Part 300 415 directly apply as follows to conditions as they exist at the 8th and Plutus Streets Pottery Site

Part 300 415(b)(2)(I) *Actual or potential exposure to nearby human populations animals or the food chain from hazardous substances or pollutants or contaminants*

Lead is the major contaminant of concern that has been identified at this location However, a grab sample of soil also identified some PCB contamination The Site is located in a residential area of Chester WV and borders the Ohio River Based on the current conditions at the Site and the results of the analytical data there exists a threat to public health and the environment The analytical results have indicated that lead in the Site soils exists in amounts detrimental to human population and to the environment One building located on-site is being used as a residence There is a school located less than 1200 feet from the ceramic debris pile where the lead contamination has been identified There is evidence of trespassers in the form of graffiti on buildings on the Site While a fence exists around some portions of the Site access is not restricted On various occasions, during windshield assessments by WVDEP and EPA, gates have been found to be either missing or open Numerous runoff ditches are present on the northern portion of the site These flow into the Ohio River and could potentially contaminate the food chain Lead from runoff poses a serious threat to the aquatic food chain

Part 300 415(b)(2)(ii) *Actual or potential contamination of drinking water supplies or sensitive ecosystems*

There are no residential wells in the immediate area of the Site However recent data indicates lead is present in the sediments of the runoff ditches leading into the Ohio River The Ohio River is a major source of drinking water downstream from the Site It is also a major fishing and recreational waterway for the area In their health consultation dated August 18 2003 (Attachment 4) the Agency for Toxic Substances and Disease Registry (ATSDR ') was concerned not only about the lead levels on Site but also about the possibility of Lead and PCBs getting into fish in the Ohio River Currently the State of West Virginia Department of Health and Human Resources lists a Fish Consumption Advisory (Attachment 5) for the entire length of the Ohio River based on PCB Contamination One grab sample of PCB on the Site revealed a level of 21 ppm PCB Aroclor 1260

Site contaminants present the threat of migration into the waterways during precipitation and storm events The lead levels in the Site soils on the ceramic debris piles near Marks Run, a tributary to the Ohio River range from a low of 56 ppm to a high of 30,300 ppm

Part 300 415(b)(2)(iv) *High levels of hazardous substances or pollutant or contaminants in soils largely at or near the surface that may migrate*

Analytical results from the June 2003 sampling event revealed high levels of lead up to 30 300 ppm in the surface soils adjacent to the ceramic debris piles on site Some of the areas on the Site are vegetated However, the areas in which the ceramic piles are located are not vegetated Heavy rain presents the threat of migration for this pollutant to the nearby Marks Run and thus the Ohio River Numerous runoff ditches were observed by the OSC during the June 2003 sampling event

Part 300 415(b)(2)(v) *Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released"*

Many of the ceramic debris piles are fully exposed to the open atmosphere therefore allowing precipitation to contact them directly The gradient from the Site to the Ohio River is approximated at over 50% Precipitation that contacts the piles drains to both Marks Run and in some areas, directly to the Ohio River

Part 300 415(b)(2)(vii) *The availability of other appropriate federal or state response mechanisms to respond to the release*

The WVDEP has requested that the EPA take the necessary actions to mitigate the threats posed by the release and threat of release of hazardous substances at the Site The WVDEP does not currently possess the financial resources to perform a cleanup at this time

IV ENDANGERMENT DETERMINATION

Based upon information gathered in connection with the Site actual or threatened releases of hazardous substances from this Site if not addressed by implementing the response action selected in this Action Memorandum may present an imminent and substantial endangerment to public health, welfare, or the environment As such the proposed response action set forth in this action memorandum should be implemented to abate the threats presented

V PROPOSED ACTIONS AND ESTIMATED COSTS

A Proposed Action

1 Proposed Action Description

The Removal Action proposed for the Site is designed to mitigate the imminent and substantial threat posed to the public health welfare and the environment by removing and or stabilizing the lead contaminated soils sediments and debris on Site and in the adjacent creek bed It will also determine the extent of the PCB contamination and either stabilize or remove it from the Site Unless otherwise specified by ATSDR, cleanup actions will be performed where lead is found in concentrations above 400 ppm This number was selected to be protective of human health and the ecological health of the creek and river

The proposed Removal Actions listed below describe removal actions that need to be conducted The actions proposed for this Action Memorandum are as follows

I Mobilize environmental cleanup contract personnel and technical assistance personnel to the Site Mobilize cleanup equipment as determined by the OSC to include equipment suitable for removing and staging contaminated soils

II Restrict access to the Site by repairing the damaged fence on the western side of the site and by repairing the damaged gates on all portions of the Site Following a thorough characterization implement warning signs and physical boundaries such as caution tape and/or fencing to delineate and restrict access to all areas of surface contamination both on-property and off property through the actions listed below

III Determine through sampling the extent of lead and PCB contaminated soils sediments and/or debris in both on property and off-property areas including the Jennings Randolph Bridge property and the Marks Run tributary This will include performing a detailed characterization of the lead contamination on Site using X-Ray Fluorescence technology followed by confirmatory laboratory analyses with appropriate quality control A guideline of 400 ppm lead will be used in accordance with ATSDR guidance

Determine the extent of PCB contamination by on site field PCB test kits followed by confirmatory laboratory analyses with appropriate quality control A guideline of 10 ppm will be used in accordance with the EPA PCB spill cleanup policy rule 40 CFR §761 125(c)(4)(v)

Sample for the presence of additional contaminants associated with pottery manufacturing using EPA approved laboratory analyses Sample results will be compared to current Removal Action Guidelines Removal Action Guidelines include the use of Emergency Removal Guidelines ("ERGs") which are generated from the EPA Region III Risk-based Concentration Table which assigns health based benchmarks to various potential contaminants

IV Excavate and remove lead contaminated surface soils and debris that test positive for concentrations of 400 ppm or higher Excavate and remove PCB contaminated surface soils if they test positive for 10 ppm PCB or higher Excavate and remove surface soils containing additional contaminants which prove to be present at or above Removal Action Guidelines Excavation will be conducted to a maximum depth no greater than two feet below the native ground surface

V Stage remove and dispose of contaminated soils off site in accordance with CERCLA Section 121(d)(3)

VI Institute engineering controls to ensure that the hillside on the southwestern and northern boundaries of the Site are stabilized and to prevent erosion on the southwestern and northern boundaries of the Site The degree of engineering control implementation will be contingent upon the three dimensional volume of waste material contamination present which is yet to be determined Engineering controls will be used in lieu of excavation where the depth of contamination exceeds two feet or if the total amount of contaminated soil exceeds 5000 cubic yards Implement Post-Removal Site Controls and institutional controls to prevent future disturbance, such as excavation, of areas where contamination remains at depths greater than two feet below the native ground surface

VII Following removal and off-site disposal of contamination cover areas where contamination was removed with clean soil, coir logs and /or matting rip rap or other appropriate fill materials The cover will be used to prevent direct contact with soil and/or debris below the surface that may contain lead PCBs, or additional contaminants associated with pottery manufacturing at or above Removal Action Guidelines In areas where lead contamination will remain below the surface place a barrier such as filter fabric or liner over the contamination prior to the placement of clean fill to prevent exposure to these areas

VIII Re-vegetate affected areas with appropriate indigenous plants and/or seeds Restore the surface features to pre-existing conditions as appropriate

IX Demobilize equipment

2 Contribution to Remedial Performance

The actions proposed herein are consistent with accepted removal practices These actions are expected to abate the threats that meet the NCP removal criteria The actions proposed are consistent with any long term or remedial action that might be necessary at the Site

3 Compliance with Applicable and Relevant and Appropriate Requirements (ARARs)

The proposed Removal Action set forth in this Memorandum will comply with applicable or relevant and appropriate environmental and health requirements to the extent practicable considering the exigencies of the situation On August 18 2003 the OSC contacted the WVDEP

Division of Waste Management via telephone and letter The OSC informed the WVDEP that a removal action was planned for the 8th and Plutus Streets Pottery Site and requested that the WVDEP identify the ARARs and subsequently supply them to the OSC The OSC has followed up with a second letter dated January 23rd, 2004, requesting that the State ARARS be identified by January 27, 2004 In a subsequent phone call to the WVDEP Chief of Compliance the Chief confirmed that he would supply the requested information These should be forthcoming in the near future The OSC will continue to work with the WVDEP to identify those ARARs that do apply to this action and will comply with them to the extent practicable

This proposed Action Memo complies with the EPA Toxic Substance and Control Act (TSCA) PCB spill cleanup policy rule 40 CFR Part 761 Based on a standard health consultation with the Agency for Toxic Substances and Disease Registry (ATSDR) in coordination with the West Virginia Department of Health and Human Resources (WVDHHR) a lead guideline of 400 ppm will be implemented

B Estimated Costs

Extramural Costs	
Regional Removal Allowance Costs	$690,000
10% Contingency	69 000
Other Extramural Costs Not Funded From the Regional Allowance	
Total START	$195 000
Total Contract Lab Program (CLP)	15 000
Total Extramural	
TOTAL ESTIMATED PROJECT CEILING	$969 000

VI EXPECTED CHANGE IN THE SITUATION SHOULD NO ACTION BE TAKEN OR ACTION DELAYED

If the actions described in this Action Memorandum are not conducted there would be a continuing potential threat to human health and the environment Lead, which is a hazardous substance will continue to be exposed on the surface of the Site PCBs another hazardous substance while not anticipated to exist in large quantities at the Site will also be exposed Substantial release of hazardous substances into the environment may occur These potential releases pose a significant threat to the human population of the area and a threat to the waters of the Marks Run and the Ohio River

VII OUTSTANDING POLICY ISSUES

There are no outstanding policy issues related to the proposed Removal Actions at this Site

VIII ENFORCEMENT STATUS

The OSC has provided the Removal Enforcement Section with information relative to the Site Currently there are no known potentially responsible parties (PRP) for the Site capable of

implementing this action The total EPA costs for this Removal Action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be $1,548 649 80 This total amount is the sum of direct and indirect costs Indirect costs are calculated as a proportion of direct costs See the Attached Confidential Enforcement Addendum (Attachment 6)

IX RECOMMENDATION

This decision document represents the proposed Removal Action for the 8th and Plutus Streets Pottery Site located in Chester, Hancock County West Virginia, developed in accordance with CERCLA as amended and not inconsistent with the NCP

Because conditions at the Site meet criteria for a Removal Action as set forth in Section 300 415(b)(2) of the NCP, I recommend your approval of this Request for a Removal Action The total estimated Project Ceiling if approved will be $969 000 [1]

APPROVED _____ **DATE** 3/11/04
Director
Hazardous Site Cleanup Division

DISAPPROVED _____ **DATE** _____
Director
Hazardous Site Cleanup Division

Attachments

1 Site Location Maps
2 Site Sampling Maps with Site Sampling Data
3 Site Photos
4 ATSDR Health Consultation
5 WVDHHR WV Fish Consumption Advisory for the Ohio River
6 Confidential Enforcement Addendum

[1] Direct Costs include direct extramural costs and direct intramural costs Indirect Costs are calculated based on an estimated indirect cost rate expressed as a percentage of site specific direct costs consistent with the full cost accounting methodology effective October 2 2000 These estimates do not include pre judgement interest do not take into account other enforcement costs including Department of Justice costs and may be adjusted during the course of a removal action The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States right to cost recovery